



FIDUCIARY BOARD

Arizona State Courts Building
1501 West Washington Street, Phoenix, Arizona 85007
Hearing Room 109

September 7, 2017
10:30 a.m.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Deborah Primock
Catherine Robbins
Elaine Acosta Sweet
Gary Krcmarik

Telephonically Present:

Teresa Lancaster
Emily Kile
Leonard Montanaro
Diana M Corry

Absent:

Hon. Jay M. Polk

OTHER ATTENDEES:

AOC Staff:

Mark Wilson
Michelle Martinez
Kate Novak
Hal White
Wil Castro
Pasquale Fontana
Bill MacIntyre
Arnita Oliver

Guests:

Roger T. Coventry
Coy Vernon
Terrence P. Woods
Carla Jones
Lisa Gervase
Beverly Gloden
Dixie Mathis
Charles Fuss
Pamela Linnins
Jenna Elnmo
Jenni Goldman

CALL TO ORDER

Called to Order By: Debroah Primock, Chair

Time: 10:31 a.m

1) REVIEW AND APPROVAL OF MINUTES:

1-A: Review, discussion and possible action regarding the regular session minutes of the meeting held on July 13, 2017.

Individual Addressing the Board: Deborah Primock

Discussion: None

Motion: Consideration of and motion to accept the regular session minutes of the meeting held on July 13, 2017

Motion Proposals: First Teresa Lancaster
Second Elaine Acosta Sweet

Motion Results: Pass

1-B: Review, discussion and possible action regarding the regular session minutes of the interim meeting held on August 16, 2017.

Individual Addressing the Board: Deborah Primock

Discussion: None

Motion: Consideration of and motion to accept the regular session minutes of the interim meeting held on August 16, 2017.

Motion Proposals: First Gary L. Krcmarik
Second Elaine Acosta Sweet

Motion Results: Pass

1-C: Review, discussion and possible action regarding the executive session minutes of the interim meeting held on August 16, 2017.

Individual Addressing the Board: Deborah Primock

Discussion: None

Motion: Consideration of and motion to accept the executive session minutes of the interim meeting held on August 16, 2017.

Motion Proposals: First Elaine Acosta Sweet
Second Gray Krcmarik

Motion Results: Pass

2) PENDING COMPLAINTS:

2-A: *Review, discussion and possible action regarding complaint number 17-0007, involving licensee, Maricopa County Public Fiduciary.*

Individual Addressing the Board: Bill MacIntyre

Discussion: Division staff submitted the complaint to the Probable Cause Evaluator who determined that probable cause does not exist. Division Staff recommends that the Board accept the findings of the Probable Cause Evaluator and dismiss the complaint.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Elaine Sweet
Second Gary Krcmarik

Motion Results: Pass
Recused Catherine Robbins

2-B: *Review, discussion and possible action regarding complaint number 17-0013, involving licensee, Lori Braddock.*

Individual Addressing the Board: Bill MacIntyre

Discussion: This matter was submitted to the Probable Cause Evaluator who determined that probable cause does not exist. Division staff recommends that the Board accept the findings of the Probable Cause Evaluator and dismiss the complaint.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Catherine Robbins
Second Elaine Sweet

Motion Results: Pass

2-C: Review, discussion and possible action regarding complaint numbers 16-006, 16-007 and 17-0014, involving licensees Beverly Gloden, Northern Arizona Fiduciaries, Inc. and Carla Jones.

Individual Addressing the Board: Pasquale Fontana

Discussion: Division staff recommends that the Board accept the findings of the Probable Cause Evaluator and revoke the licenses of Beverly Gloden, Carla Jones and Northern Arizona Fiduciaries.

Remarks from Attorney Lisa Gervase & Attorney Terrence P. Woods.

Motion: Consideration of and motion to accept staff's recommendation as to complaint number 16-0006 and revoke the license of Beverly Gloden and to reject staff's recommendations as to complaint numbers 16-0007 and 17-0014 concerning Northern Arizona Fiduciaries and Carla Jones and to defer the matters for consideration at a later date.

Motion Proposals: First Elaine Sweet
Second Gary Krcmarik

Motion Results: Pass

2-D: Review, discussion and possible action regarding complaint numbers 16-0008, 16-0009 and 16-0010, involving licensees Northern Arizona Fiduciaries, Inc., Carla Jones and Beverly Gloden.

Individual Addressing the Board: Pasquale Fontana

Discussion: Division staff recommends that the Board accept the findings of the Probable Cause Evaluator as to allegations 1, 2, 5 and 6 and revoke the licenses of Beverly Gloden, Carla Jones and Northern Arizona Fiduciaries.

Motion: Consideration of and motion to reject staff's recommendation as to complaint numbers 16-0008 and 16-0009 concerning Northern Arizona Fiduciaries and Carla Jones and to defer the matters for consideration at a later date.

Motion Proposals: First Emily Kile
Second Elaine Acosta Sweet

Motion Results: Pass

Motion: Consideration of and motion to reject staff's recommendation as to complaint number 16-0010 concerning Beverly Gloden and to dismiss the complaint.

Motion Proposals: First Emily Kile
Second Gary Krcmarik
Motion Results: Pass

2-E: *Update regarding complaint numbers 17-0018, 17-0019 and 17-0020 involving licensees Ayudando Alpha, Inc. and Bradley Torch*

Individual Addressing the Board:

Discussion: Deferred until next meeting.

2-F: *Review, discussion and possible action regarding request to amend agenda in accordance with ACJA § 1-202(C)(2)(c) to consider settlement offer of Fred Brinckerhoff concerning complaint number 14-0012.*

Individual Addressing the Board:

Discussion: Deferred until next meeting.

2-G: *Review, discussion and possible action regarding settlement offer of Fred Brinckerhoff concerning complaint number 14-0012.*

Individual Addressing the Board:

Discussion: Deferred until next meeting.

3) INITIAL LICENSURE AND ELIGIBILITY:

3-A: *Review, discussion and possible action regarding the following applications for initial individual and business licensure:*

1. *Coy Vernon*
2. *Judy Lackey*
3. *Jon Fleck*
4. *Terra Kirk*
5. *Jennifer Leitch*
6. *Kathryn Wallace*

Individual Addressing the Board: Kate Novak

Discussion: The Division recommends approval of initial fiduciary licensure for the following applicant:

1. Coy Vernon

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Catherine Robbins
Second Gary Krcmarik

Motion Results: Pass

Individual Addressing the Board: Kate Novak

Discussion: The Division recommends approval of initial fiduciary licensure for the following applicant:

2. Judy Lackey

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Elaine Sweet
Second Diana Corry
Recused Catherine Robbins

Motion Results: Pass

Individual Addressing the Board: Kate Novak

Discussion: The Division recommends approval of initial fiduciary licensure for the following applicant:

3. Jon Fleck

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Elaine Sweet
Second Leonard Montanaro
Recused Catherine Robbins

Motion Results: Pass

Individual Addressing the Board: Kate Novak

Discussion: **Item considered out of order.**
The Division recommends initial fiduciary licensure with standard non-disclosure language for the following applicant:

6. Kathryn Wallace

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Gary Krcmarik
Second Elaine Sweet
Motion Results: Pass

Individual Addressing the Board: Wil Castro

Discussion: Division recommends the Board grant initial fiduciary licensure with the standard non-disclosure language to the following applicant:

4. Terra Kirk

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Catherine Robbins
Second Elaine Sweet
Motion Results: Pass

Individual Addressing the Board: Wil Castro

Discussion: Applicant Jennifer Leitch will be deferred until the next meeting.

3-B: *Review, discussion and possible action regarding the following applications for initial business licensure and renewal of individual licensure:*

1. *San Pedro Fiduciary Services, LLC (Designated Principal, Paul Melo)*
2. *Paul Melo*

Discussion: Deferred until next meeting.

4) RENEWAL OF LICENSURE APPLICATIONS :

4-A: *Review, discussion and possible action regarding the following applications for renewal of individual and business entity licensure:*

1. *Entrust Fiduciary Services, Inc. (Lisa Price)*
2. *Lisa Price*

Discussion: Deferred until next meeting.

5) LICENSURE AND ELIGIBILITY:

5-A: *Review, discussion, and possible action regarding the voluntary surrender of licensure received from Kathryn Munro.*

Discussion: Deferred Until next meeting.

5-B: *Review, discussion and possible action regarding request for placement on Inactive Status from the following licensed fiduciaries:*

- 1. Sherry Reed*
- 2. Brian Tetraul*

Discussion: Deferred until next meeting.

6) ADMINISTRATIVE ISSUES

6-A: *Review, discussion and possible action regarding the establishment of the 2018 Board meeting schedule.*

Discussion: Deferred until next meeting.

CALL TO THE PUBLIC

Individuals Addressing the Board: None

ADJOURNMENT

Motion: Move to adjourn.

Motion Proposals: First Krcmarik
Second Catherine Robbins

Motion Results: Pass

Time: 1:10 p.m.

Initials: AO